

### **REMARKS/ARGUMENTS**

Applicants have received the Office Action dated September 26, 2006, in which the Examiner rejected claims 26-36 under 35 U.S.C. § 102(b) as being anticipated by Liu (U.S. Pat. No. 6,440,238, hereinafter "Liu"), Wang (U.S. Pat. No. 6,251,473, hereinafter "Wang"), Barnett (U.S. Pat. No. 6,479,178, hereinafter "Barnett") and Anderson (U.S. Pat. No. 5,494,700, hereinafter "Anderson"). With this Response, Applicants have amended claims 26 and 34. Based on the amendments and arguments contained herein, Applicants believe this case to be in condition for allowance.

The Examiner stated that all claims recite process limitations and that such process limitations are not to be given patentable weight. As a result, the Examiner was only reading the claims as reciting a mixed oxide film, which the Examiner believed to be present in each of the four art references.

With regard to the Liu (U.S. Pat. No. 6,440,238) rejection, Applicants note that U.S. Pat. No. 6,440,238 does not have Liu as a named inventor. Further, the Examiner referred to column 9 from this reference. U.S. Pat. No. 6,440,238 does not have a column 9 (the patent ends with column 6). Thus, Applicants believe that the Examiner is not referring to U.S. Pat. No. 6,440,238, but Applicants do not know what reference the Examiner intended to use. As a result, Applicants cannot respond to the Examiner's rejection over "Liu." Clarification is respectfully requested for this ground of rejection if the Examiner continues to reject the claims.

Applicants amend claim 26 to require "nanoparticle" electrolyte material. This limitation has clear support in Applicants' specification. Applicants do not find a teaching or even a suggestion of this limitation in any of the three remaining references (Wang, Barnett, and Anderson). For at least this reason, claim 26 and all claims dependent thereon are patentable over the art of record.

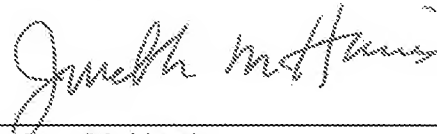
Applicants amend claim 34 to require that the substrate comprises "surface defects" and a metal oxide layer "that does not replicate said surface defects of said substrate." This limitation has clear support in Applicants' specification. Applicants do not find a teaching or even a suggestion of this

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limitation in any of the references Wang, Barnett, and Anderson. For at least this reason, claim 34 and all claims dependent thereon are patentable over the art of record.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



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Jonathan M. Harris  
PTO Reg. No. 44,144  
CONLEY ROSE, P.C.  
(713) 238-8000 (Phone)  
(713) 238-8008 (Fax)  
ATTORNEY FOR APPLICANTS

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
Legal Dept., M/S 35  
P.O. Box 272400  
Fort Collins, CO 80527-2400